

**State of California  
AIR RESOURCES BOARD**

**EXECUTIVE ORDER G-08-033**

**Relating to Certification of Portable Fuel Containers, Spouts or Portable  
Fuel Containers and Spouts**

**The Plastics Group**

**Petroleum Product Portable Fuel Containers: 6.0-gallons, 5.0-gallons,  
3.17-gallons, 2.5-gallons, and 1.25-gallons for gasoline;  
1.5-gallons/2.5-quart for gasoline/oil combination; 5.0-gallons for diesel  
fuel; and 5.0-gallons for kerosene all with model number 40730 Spouts**

This Executive Order shall supersede Executive Order G-08-001 dated February 13, 2008.

WHEREAS, the California Air Resources Board (ARB) has established, pursuant to California Health and Safety Code sections 39600, 39601, 43013, 43018 and 43101, criteria for obtaining certification of a portable fuel container, spout, or a portable fuel container and spout in "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, incorporated by reference into title 13, California Code of Regulations, sections 2467.2 and 2467.8;

WHEREAS, "CP-501, Certification Procedure for Portable Fuel Containers and Spill-Proof Spouts," adopted July 26, 2006, (hereinafter "Certification Procedure") incorporated by reference into title 13, California Code of Regulations, sections 2467.2 and 2467.8, requires that an application for certification include the results for each test specified in ARB's Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006), and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006);

WHEREAS, section 1, of the Certification Procedure provides that an Executive Order will only be issued for a portable fuel container, spout, or both portable fuel container, and spout that demonstrates compliance with all applicable certification requirements;

WHEREAS, section 3, of the Certification Procedure requires an applicant to submit specified information in its application for certification;

WHEREAS, section 5, of the Certification Procedure provides that ARB Executive Officer shall evaluate each application for certification of a spill-proof system or spill-proof spout, to determine if the spill-proof system or spill-proof spout complies with the criteria for issuance of an executive order;

WHEREAS, I find it necessary to revise Executive Order G-08-001 to add a new model of 1.25-gallon gasoline, 1.5-gallon gasoline/2.5-quart oil combination, new models of 2.5-gallon and 6-gallon gasoline, and new models of 5-gallon gasoline, kerosene and diesel containers;

WHEREAS, The Plastics Group has submitted an application for certification of the following products to be sold under the brand names "Wedco" and "Briggs & Stratton":

Petroleum Product Portable Fuel Containers:

6.0-gallons capacity gasoline container (Model Number W508),  
5.0-gallons capacity gasoline container (Model Number WCA525P),  
5.0-gallons capacity gasoline container (Model Number W 528),  
3.17-gallons capacity gasoline container (Model Number 520 000 740),  
2.5-gallons capacity gasoline container (Model Number WCA125P),  
2.5-gallons capacity gasoline container (Model Number W228),  
1.5-gallons capacity gasoline/2.5 quart oil combination container (Model Number W158),  
1.25-gallons capacity gasoline container (Model Number WCA125P),  
1.25 gallons capacity gasoline container (Model Number W128),  
5.0-gallons capacity diesel fuel container (Model Number WCA526P),  
5.0-gallons capacity diesel fuel container (Model Number W548),  
5.0-gallons capacity kerosene container (Model Number WCA1002P), and  
5.0-gallons capacity Kerosene container (Model Number W1008),  
each with Model Number 40730 Spouts: (hereinafter referred to as "Portable Fuel Container system" or "PFCs");

WHEREAS, The Plastics Group has submitted data generated from each test specified in ARB Test Procedure TP-501, Test Procedure for Determining Integrity of Spill-Proof Spouts and Spill-Proof Systems (July 26, 2006) and ARB Test Procedure TP-502, Test Procedure for Determining Diurnal Emissions from Portable Fuel Containers (July 26, 2006) that demonstrates its PFCs comply with the criteria specified in section 2, of the Certification Procedure;

WHEREAS, The Plastics Group has submitted information demonstrating that its PFCs comply with the requirements of American Society for Testing and Materials Standards (ASTM) F-852-99 (March 10, 1999) and ASTM F-976-02 (May 10, 2002);

WHEREAS, The Plastics Group has submitted a copy of the warranty language and operating instructions specified in section 2 of the Certification Procedure;

WHEREAS, The Plastics Group is not participating in the Optional Consumer Acceptance Program for its PFCs;

WHEREAS, The Plastics Group has submitted all of the information specified in section 3 of the Certification Procedure in its application for certification of its PFCs; and

WHEREAS, The Plastics Group's application for certification of its PFCs has been evaluated, and its PFCs have been found to comply with the criteria for the issuance of an executive order.

NOW THEREFORE, pursuant to the authority vested in ARB by sections 39600, 39601, 43013, 43018, and 43101, Health and Safety Code, and pursuant to the authority vested in the undersigned by sections 39515 and 39516, Health and Safety Code, and Executive Order G-07-002.

IT IS ORDERED AND RESOLVED that the PFCs produced by The Plastics Group as described in its application for certification of said systems are hereby certified to meet the performance standards and administrative requirements applicable to portable fuel containers. Production systems shall be in all material respects the same as those for which certification is granted and shall meet all the certification requirements except for the optional consumer acceptance program.

IT IS FURTHER ORDERED that The Plastics Group must comply with the administrative requirements specified in title 13, California Code of Regulations sections 2467.5.

IT IS FURTHER ORDERED that any alteration of the components or design of the PFCs certified hereby is prohibited and is inconsistent with this certification, unless said alteration has been approved by the Executive Officer or his designee.

IT IS FURTHER ORDERED that The Plastics Group must supply a copy of the warranty language submitted in its application for certification for its PFCs in the packaging of each certified PFCs at the time of sale.

IT IS FURTHER ORDERED that The Plastics Group must supply a copy of the operating instructions for each PFC as submitted in its application for certification in the packaging of each certified PFCs at the time of sale.

IT IS FURTHER ORDERED that The Plastics Group must supply any changes to the warranty language or the operating instructions to the Executive Officer for review and approval at least 30 days prior to implementation.

IT IS FURTHER ORDERED that the Executive Officer may enjoin sales, assess Penalties, or revoke or modify this certification as provided in CCR section 2467.9, if the Executive Officer determines that the product available for sales in California does not meet the "Certification and Compliance Test Procedures" as provided in CCR section 2467.9.

Executed at Sacramento, California this 28<sup>th</sup> day of January 2009

/S/

William V. Loscutoff, Chief  
Monitoring and Laboratory Division